

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:18-CV-53-D

MARGARET REAVES,

Plaintiff,

v.

NATIONSTAR MORTGAGE, INC.,

U.S. BANK, N.A., and WELLS

FARGO BANK, N.A.,

Defendants.

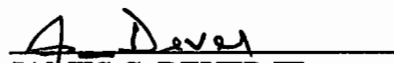
ORDER

On March 19, 2018, defendants Nationstar Mortgage LLC and U.S. Bank, N.A. (“collectively defendants”) moved to dismiss Margaret Reaves’s (“Reaves” or “plaintiff”) complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) [D.E. 10] and filed a memorandum in support [D.E. 11]. Essentially, Reaves seeks to challenge a foreclosure order entered in Wake County Superior Court on November 15, 2017. See [D.E. 1]. Reaves is litigating that foreclosure order in state court. See [D.E. 11] 6.

The Rooker-Feldman doctrine bars this court from reviewing the propriety of the foreclosure order. See, e.g., Locklear v. Fed. Home Mortg. Corp., No. 7:16-CV-344-D, 2017 WL 1737634, at *1–3 (E.D.N.C. May 1, 2017) (unpublished); Carmichael v. Irwin Mortg. Corp., No. 5:14-CV-122-D, 2015 WL 12851584, at *2–3 (E.D.N.C. May 20, 2015) (unpublished); Ashford v. Countrywide Home Loans, No. 7:10-CV-162-D, 2010 WL 4117402, at *1 (E.D.N.C. Oct. 18, 2010) (unpublished). Thus, the court grants defendants’ motion to dismiss under Rule 12(b)(1). Alternatively, the court grants the motion to dismiss under Rule 12(b)(6). See Locklear, 2017 WL 1737634, at *3–4; Carmichael, 2015 WL 12851584, at *3–4.

In sum, the court GRANTS defendants' motion to dismiss [D.E. 10] and DISMISSES the complaint without prejudice.

SO ORDERED. This 18 day of December 2018.


JAMES C. DEVER III
United States District Judge